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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,484	08/28/2000	Shuji Soga	500.38950X00	5764

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EXAMINER

BORISSOV, IGOR N

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 03/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/648,484

Applicant(s)

SOGA ET AL.

Examiner

Igor Borissov

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 12-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Objections***

Claims 17 and 19 are objected to because of the following informalities:

As per claim 17, it is not numbered. It appears that the preamble is missing the first line(s).

As per claim 19, it is presented twice. The first two lines of claim 19 on the page 4 has to be removed.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 13-16, 19-22 and 25-28 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The following new matter was introduced into the claims: “extracting the recycling product as a non-recycling product” and “indicating the recycling product as a non-recycling product”.

Applicant is required to cancel the new matter in the reply to this Office Action.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 17-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 17-22, these claims are confusing because the preamble of claim 17 is incomplete.

As per claims 19-22, these claims are confusing because the term "according to claim 17" lacks antecedent bases.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 12, 17-18 and 23-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al. (U. S. 5,965,858).

Suzuki et al. teach a manufactured article recycling system and method, comprising:

As per claims 12,

- transmitting, from a recycling certificate sales system through a network to a recycling certificate management system, sales information including identifying information of the recycling product and the processing fee of the recycling product, the recycling certificate sales system managing a recycling certificate having the identifying information of the recycling product, and the recycling certificate (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- identifying information of the recycling product, and the recycling certificate management system managing a processing state of the recycling product; reading, by a receiving organization server managed by a receiving organization, the identifying information from the recycling certificate when the receiving organization receives the recycling product from a discharger (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- transmitting, from the receiving organization server through the network to the recycling certificate management system, receiving information indicating that the receiving organization received the recycling product containing the read identifying information (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- recording the receiving information in a database in the recycling certificate management system (column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- reading the identifying information from the recycling certificate by a product distributing organization server managed by a product distributing organization when the

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product distributing organization carrying the recycling product to the recycling organization receives the recycling product from the receiving organization (column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- transmitting, from the product distributing organization to the recycling certificate management system, take-over information indicating that the product distributing organization received the recycling product containing the read identifying information (column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47);

- calculating a receiving fee accrued at the receiving organization by the recycling certificate management system when the recycling certificate management system receives the take-over information and the receiving information is recorded in the database (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59);

- recording the take-over information in the database and reading the identifying information from the recycling certificate by the recycling organization server managed by the recycling organization when the recycling organization receives the recycling product from the product distributing organization (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59);

- transmitting, from the recycling organization server to the recycling certificate management system, incoming product information indicating that the recycling organization

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receives the recycling product containing the read identifying information; and calculating a product distributing fee for the product distributing organization by the recycling certificate management system when the recycling certificate management system receives the incoming product information and the take-over information is recorded in the database (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59).

As per claims 17 and 23, Suzuki et al. teach said system and method, comprising:

- receiving information indicating that a second recycling organization manages the recycling product moving from a first recycling processing organization to a second recycling processing organization for processing the recycling product following the first recycling processing organization and the second recycling processing organization managing a second recycling processing computer from a first recycling processing computer, among the plurality of recycling processing computers receiving the recycling product containing identifying information for identifying the recycling product database (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59).

- calculating a recycling fee for a processing carried out by the first recycling processing organization based on the identifying information and a processing content by the first recycling processing organization, and processing information of settling accounts to the calculated recycling fee database (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59).

As per claims 18 and 24, Suzuki et al. teach said system and method wherein the recycling certificate system is connected, through the network, to a sales organization server managed by a sales organization for selling a recycle certificate storing the identifying information attached to the recycling product, wherein the recycling certificate system receives the identifying information transmitted from the sales organization server and fee information indicating the recycling processing fee of the recycling product, wherein the calculating of the recycling fee is carried out based on the fee information (Abstract; column 5, line 1 through column 6, line 16; column 9, line 60 through column 10, line 25; column 21, line 61 through column 22, line 47; column 40, line 1 through column 42, line 59).

***Response to Arguments***

Applicant's arguments filed 12/30/02 have been fully considered but they are not persuasive.

In response to applicant's argument that Suzuki et al. fail to show recycling processes configured by multiple processes, the examiner points out that Suzuki et al. do specifically disclose this feature (See Suzuki et al., column 40, line 1 through column 42, line 59, and discussion above).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period



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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Conclusion***

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks  
Washington D.C. 20231***

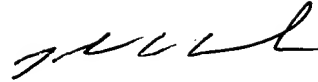
or faxed to:

**(703) 305-7687** [Official communications; including  
After Final communications labeled  
"Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,  
Arlington, VA, 7<sup>th</sup> floor receptionist.

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